Pradeep

App. F. IX-4

1934-35
(Nuzvid)

Mus File No. 322-34
Serial Nos. 1-4

*Previous References*
Mus Dcf 149-34
Jud 165-31-3-5

*Later References*
Mus 117-34-1-6.
Mus 2-34-79

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* 4

**Part B for** April 1936

**SUBJECT.**

Appeal of Salvanaraniengar and anr
re. Mariyade to Sri Parakalaswami
Mutt at Nellore Temple

---

H 01845 G 27-3-36

Forward copy of the order to the
Dis Mus & the appeal.

re Appl/se Distribution of Pongara and Prasada naivedya to Sri Parakala Mutt in the temple of Sri Narayanaswamy at Melkote

General and Revenue Secretariat — File No. 322 of 1934-35 — [App F III

Serial No

Petition dt 2-3-35 filed by Mr S. K. Venkatarangiengar Advocate Bangalore on behalf of his clients Ramanarayana Salva Naraniengar and Sri Rangam Sampatkumaracharyulu of Melkote appealing against the order of the Mysore Commissioner in Misc Appl No 313 of 33-34 dt 24.11.34 re payment of Rs 100 the Devanga Kattale Vinioga to the Gumastha of Sri Parakala Mutt in Sri Narayana Swamy Temple at Melkote.

1) The Appl is Submitted stamped & a delay of 8 days has occurred in presenting the Appeal. For reasons stated the delay may be admitted and records called for.

9/3

Ch: Secy)

2) Records may be called for.

9/3/35

11/3/35

II Member

12/3

12/3

Memo of transmittal submitted for Chief Secretary's signature

5 days

12/3/3

13-3-35

Petition sent to D.M. C Bangalore vide no 1227 dt 13-3-35.

NOTE—Contn Sheet

14-3-35

OFFICE OF THE SECOND MEMBER OF GOVT COUNCIL 11 MAR 1935 No 5414

WD 619—PP 15—22,500—12-6-31

May appl re- distribution of Paniyara and Pranada Manyade to Sri Pathirela Mudi

May File No. of 193 . General and Revenue Secretariat

No 107 9.29.4.1935 from the Mudras Commissioner submitting records connected with the appeal

Hand the case may be posted for a hearing before which time Note will be taken as usual

GS 30/8

- The next date of hearing appointed by the II Member is 3/9/35. If appointed this case may be posted for hearing on that date.

3/9/35

I Member) 5) 4/9 & 4/9

Entered 10/9/35

OFFICE OF THE SECOND MEMBER OF BOARD. 10 SEPT 1935 No. 1539

10) This may be posted to a date after the Dasara

10/9 12/9 13/9

Posted to Friday the 22nd Nov 1935

Mug Appl no 11 of 36-36 re obstructions to Panyara & Prospect Waterways to Sri Parakala Mutt.

General and Revenue Secretariat | Mug File No. of 1934 - 5 | [App. F. III—2

Serial No.

17) The case was called on Friday the 22nd Nov. 1935. The applicants with their Counsel were present & were heard & the Hony. Superintendent of Sri Parakala Swami Mutt & the Counsel for Sri Mutt Mysore were present & heard — After hearing the Counsel for the applicants the case was adjourned for further argument ~~at the instance~~; no fresh notices to parties need be served, notices being sent only to the Concerned Advocates.

22-11-1935.

22/11/35

Posted to Friday the 17th January 1936.

GS The case was called on Friday the 17th January 1936. The applicants with their Counsel were present and were heard. The respondent's Counsel Mr K T. Bhashyam Iyengar BA BL was present & was heard. Orders reserved —

17.1.1936

SCL

NOTE—Contd. Sheet.

File No. of 193 .

General and Secretariat

Mag appl no 14 of 34-35 re: distribute Panguni etc mangarai to the Parakalamutt.

General and Revenue Secretariat

App. F. III—2]

Mag. File No. 3221/90 of 1934. S

| Serial No. | |
|---|---|
| 6073 / 23.3.36. | (15) The main contention of the appellant is that according to the proper interpretation of the Sanad, the claim of the Agent of the Parakala Mutt should be confined only to double the share of the prasada distributed as Viniyoga and should not apply to prasada offered to deity as Devamsa behind the curtain. The study of the Sannad as a whole, however shows that what was intended to be given to the Parakala Mutt was more or less on the ground that the Swami of the Mutt ~~was~~ should be shown special concessions in this temple. The interpretation put on the document by the Deputy Commissioner and the Muzrai Commissioner seems to be more in accord with its spirit. Government agree with the views expressed by the Deputy Commissioner and the Muzrai Commissioner, and dismiss the appeal. |
| | SPR 23/3 2nd 26/3 25/3/36 |
| | (16) Subd with a dft as in para 15 supra. CN 26/3/36 26/3 Sd today 26/3 |
| 4 | No 1343 dy 27-3-1936 from S. K. Venkata-Rangiengha Counsel for the appellant forwarding copy of the order passed in the appeal stated therein. |

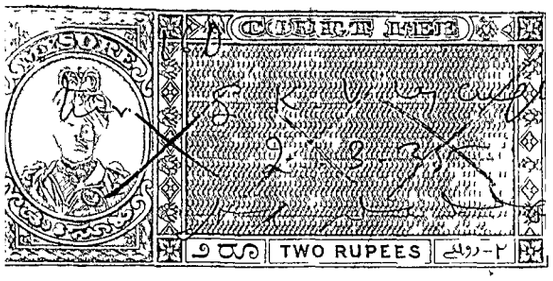
NOTE—Contn Sheet

WD 02553—G PB—50,000—6 7 30

Mlzy File No. 322 of 1934

Memo no 1344 of 27-3-36 to the K. T. Bhashyam Deputy Advocate for the respondent forwarding Copy of the orders passed in the appeal case no 1345 of 27-3-36 to the Mlzy Commissioner forwarding Copy of the orders in the appeal case and returning the records received from him on the subject

03
4.4.36




992

Muz 322-34-5

Before the Government of His Highness The Maharaja of Mysore, Bangalore.

Muz. Appl No. 14 of 34-35.

Appellants. Vs. Respondent.

1. Kainkaryam Salva Narniengar
2. Seerungam Sampathkumarachary. Melkote

Sri Parkalaswamy Mutt, Mysore.

Under Section of the Mysore Muz. Regln.

The appellants abovenamed, beg to prefer this appeal against the order of the Muz. Commissioner passed in Appeal No. 13 of 33-34 dated 24-11-34 in the matter of the distribution of Panyara and Prasada Mariyade to the Sri Parakalimutt Swami, from the Melkote Temple:-

1. The learned Muzrai Commissioner erred in confining his order only to the question of the right to a share in the Devamsha, and in stating that the appellants were precluded from raising other questions including the question whether the respondents are entitled to get a share in the Naivedya prepared at the instance of "SEVARTHIS" though the respondents have not even urged such a right. The learned Muzrai Commissioner failed to notice that his predecessor's orders in this respect was behind the back of the appellants and that on an appeal petition to the Government against the same immediately the order was made known to them the matter had been re-opened by the Government referring the same for disposal by the Muzrai Commissioner.

2. The appellants were particularly prejudiced as, when the then Muzrai Commissioner Mr. K. Chandy in Appeal Petition No.10 of 23-24 sent down the case to the Deputy Commissioner to answer certain issues which he framed, the same were answered without notice to them, without hearing them and without giving an -- opportunity for them to adduce evidence. Thereafter, as stated above they were not heard when the then -- Muzrai Commissioner Mr. D'Souza passed the orders. The authorities only heard the persons who disputed the genuineness of Nirup and not these appellants who when asked were referred to the order already -- passed in their case. Thereafter they approached Government by means of two petitions dated 9-8-31 and 31-12-31 respectively and the same were referred to the Muzrai Commissioner for disposal who without passing any order after hearing them has refused to permit them to argue on this contention. Copy of the endorsements are herewith annexed.

3. The learned Muzrai Commissioner has failed to notice that on a correct interpretation of the Nirup there is no right conceded for any share in -- the Devamsha. On the other hand the grant expressly defines not only the privileges but also the extent and nature of those privileges and the time when those privileges can be exercised and enjoyed. The Nirup - specifically limits the privileges re. Panyaram and Prasadam outside the curtain. As the question of interpretation of a document is a matter of law, interference is called for even on this ground.

4. The learned Muzrai Commissioner having expressed that the analogy of certain privileges enjoyed on other occasions (which is not admitted by the appellants) are of no help, erred in upholding the claims of the respondents when the question of established custom in other temples in the State and in the temples at Melkote negatived such a claim. That in so doing, the learned Muzrai Commissioner has ignored the previous orders of the authorities from time to time in respect of the Naivedyams of "SEVARTHIS".

5. The learned Muzrai Commissioner had no jurisdiction to go behind his predecessor's -- directions in the order of remand (Vide Mr.D'Souza's order of remand in Muzrai Appeal No.10 of 23-24).

6. The learned Deputy Commissioner, after - finding that there was no mamool in any Vaishnava Temple in Mysore to give Devamsha, ought to have - found against the respondents in the absence of - their establishing their special right to the same as was required of them as per the directions contained in the remand order. On the other hand, the -- temple-records and the evidence negative any such special right. The temple records have been acted upon by the respondents in previous proceedings - and the Deputy Commissioner's ignoring of the same is improper.

7. The learned Muzrai Commissioner, while acting without jurisdiction in going behind the order of remand passed by his predecessor, erred in law in making out a case for the respondent on the "unexpressed intention" under the Nirup of 1830.

8. The learned Revenue Commissioner has ignored the fundamental maxim of law that where privileges or rights are sought to be derived from a written grant, the words appearing in the grant alone ought to be the basis for adjudication. In this extent, the Muzrai Commissioner's order is an error in law calling for interference by the Government. The Government in their proceedings have also observed that it is His Highness's Government who should be appealled to where the local authorities feel a doubt or delicacy in giving effect to Sannad.

9. The learned Deputy Commissioner erred in adding to his orders by way of review extending the rights of the respondent in the other temples, when he had no jurisdiction to hear the same without -- giving an opportunity for hearing to the appellants, and the learned Revenue Commissioner erred in not stating his views thereon as in avoiding giving his opinion on grounds not germane to the question.

10. The Nirupa of 1830 does not grant similar "Mau" to the respondent in other temples as is assumed by the learned Deputy Commissioner.

11. The learned Muzrai and Deputy Commissioners have failed to notice that they have conceded more rights to the respondent than what was claimed for by them or what is warranted under the Nirup.

12. The orders of the learned Muzrai Commissioner are otherwise opposed to law, facts and -- procedure.

5573
26 MAR 1935

Adv. for Appellants.

Bangelore,
27th Febry. 1935.

In the Court of the Divisional Commissioner in Mypare.

Appeal No. 13 of 1933-34.

Appellants:- Salva Naminayagar Sivagnana Sampath-Kumarachar & others

vs

Respondents The Hony: Superintendent of the Sri Para-Kala Mutt.

Subject

Payment of twice the Devanna Kalle Viniyoga to the Gumasta of the Sri Parakala Mutt in the Sri Narayana Swami temple at Melkote.

Facts of the case

The facts of the case are fully set forth in the order of this Court in Appeal No. 10 of 1923-24. All the points involved in the case, viz the genuineness of the Nirup of 1830, the applicability of the provisions of the Nirup to Sircar and Swarthakalle Utsavas, the claim of the Mutha for getting twice what the archak gets outside the curtain as archak-Kalle were finally disposed of in the above appeal. The only point remaining viz the payment of twice the Devanna-Kalle ie what the archak gets inside the curtain, was referred to the Deputy Commissioner for further enquiry

For reasons assigned in his order dated 9th August 1933, the Deputy Commissioner has held that "Devamsa" is also a Kadle and that the Matha as per terms of the Samad, is entitled to get twice the quantity of Devamsa and that the privilege is only in regard to the Sri Chelvaroyaswami temple in Melkote. On a review petition presented by the Matha on 10th October 1933, the Deputy Commissioner in his subsequent order dated 12th October 1933 modified his original order and directed that the Samad gives this privilege to the Matha in regard to the Sri Narayanaswami and other temples at Melkote. It is against these orders that the petitioners have appealed to this Court.

The chief grounds of appeal, among others, are:—

(i) That the Deputy Commissioner admitted in evidence ~~unauthorised~~ unauthenticated copies of certain Samads produced by the Sri Parakala Matha whereas ~~the~~ authenticated of certain documents produced by them were refused unless the originals thereof were produced

(ii) That the translation rendered by Dr. Shama Sastry is not correct and the decision should

not therefore be based upon the translation but it should be on the wordings of the original Nimp itself.

(III) That the extension of the order to temples other than Sri Narayanaswami & Sri Chakravarayaswami is erroneous

(IV) That the orders passed by the Deputy Commissioner go much beyond the terms of reference made by the Huzur Commissioner in the remand order and that it is nowhere said in the Nimp that the Matha should be given twice the quantity of Devamsa.

V That the statements of witnesses examined on behalf of the Matha are not reliable as most of them are Vadagalais and disciples of the Matha and as some of them have undergone punishments previously; and

VI That the second amending order was ex-parte.

The Case was heard on 3rd November 1934 when the appellants were present in person and the Respondent was represented by M.Y. T.K.T. Bhashyam Iyengar, Advocate.

Order No. Appl. No. 10/1933-34
Dated 24-11-34.

The point at issue was argued at great length and in the absence of a distinct direction in the Nimp has to be decided in accordance with its general spirit which is one of conceding to the Respondent Matha

unequivocal precedence at
the clause of the Nirnaya dealing with
the ceremonies makes no distinction
between what takes place behind the
curtain and in front of it. The two
stages must, therefore, be deemed to
be parts of a continuous programme
By the Matha is entitled by way of
swamya to twice the archak's share,
it does not seem to matter whether
the latter is distributed in two portions
or in one. I am not convinced by
the argument that the archak plays
two different roles and that the per-
quisites which he receives in front
of the curtain alone, should be taken
into consideration. In a matter like
this neither the practice observed
in other Vaishnava temples with refer-
ence to the Matha (which is not favour
-able to its present claims) nor that
observed on other occasions at Udi
Udupi itself (on which the Deputy
Commissioner has relied) can
furnish a safe analogy. But looking
to the Nirnaya itself and its obvious,
unexpressed intentions, I find no
impropriety in supporting the Deputy
Commissioner's decision that the
Matha should get twice as much as
the archak gets during the whole
of the ceremony.

The Deputy Commissioner's second order to the effect that this principle should be observed not only in Sri Chelluveraya swami temple, but also in other institutions at Melkote mentioned in the Nirupa is not of much consequence if, as the appellants contend, no occasions can arise for its practicable application.

I therefore dismiss the appeal.

Sd/- N. Madhava Rao
Mysore Commissioner.

Copy applied for by S. Narayana Iyengar on 10-12-34
Copy ready on 26-12-34
" delivered on 27-12-34
No. of words 710.
Copying fees 0-14-0
Comparing 0-3-6
Paper 0-2-6
Total 1-2-0

Copied by S. Jagannatha Rao
Compared by H Hanumanthaiah

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Manager
Mys: Comm's Office

WD 01723—GPB—6000—26-4-28

ನಂಬರು ..10.14../Mis3

ಇನ್ನುಮೇಲೆ ನೀವು ಬರೆಯುವ ಕಾಗದ ಪತ್ರಗಳಲ್ಲಿ ಈ ನಂಬರನ್ನು ದಯಯಿಟ್ಟು ನಮೂದು ಮಾಡಿ

Mysore Revenue

General and Revenue Secretariat ರ ಆಫೀಸು.

ತಾರೀಖು 27/11/1928.

ಇಂಡಿಪೆಂಡೆಂಟ್.

ಸಂದರ್ಭ :— ನಿಮ್ಮ .... 3.1.12-3.1 .....ನೆಯ ಮರ್ಮಂ ಕಾಗದ / ಅರ್ಜಿ

ವಿಷಯ :—

ಈ ಕೆಳಗೆ ಕಂಡ ... .. 2 ... ... .....ನೆಯ ನಂಬರ್ ಕಲಮಿಗೆ ಗಮನಕೊಡಬೇಕಾಗಿ ಕೋರಿದೆ.

ರುಜು ... ..... .....A Lakshmi Rao

ಹುದ್ದೆಯ ಹೆಸರು ..... for Secretary to G.S. Financial Department

*

4. ನಿಮ್ಮ ~~ಪ್ರಾರ್ಥನೆಯನ್ನು~~ ನೆರವೇರಿಸಿ ಕೊಡಲು ಸಾಧ್ಯವಿಲ್ಲ.....

2. ನಿಮ್ಮ ~~ಪ್ರಾರ್ಥನೆಯನ್ನು~~ / ಅರ್ಜಿಯನ್ನು ..... ..... .....ಗೆ ..... ..... ..... ಬಗ್ಗೆ ಕಳುಹಿಸಿದೆ.

3. ಈ ಆಫೀಸಿನ ... ... .. ... . .. ..... ..... . ನೆಯ ಮರ್ಮಂ . .. ... ... ... .....ನೆಯ ನಂಬರಿಗೆ ಗಮನಕೊಡಬೇಕಾಗಿ ಕೊರಿದೆ.

4. ..... ..... ..... ..... .. .. ..ನೆಯ ಮರ್ಮಂ..... . ..... ..... . .. ..... ... ... .. ನೆಯ ನಂಬರನ್ನು ಕಂಡು ಹಿಡಿಯಲು ಸಾಧ್ಯವಿಲ್ಲ ; ಅದರ ಒಂದು ನಕಲನ್ನು ಕಳುಹಿಸಿ ಕೊಡಬೇಕು.

5. ಮೂಲಪುಸ್ತಿಗಳು ತಲುಪಿರುವುದಿಲ್ಲ.

6. ಅರ್ಜಿಯು—

(i) ವಿಧಾಯಕವಾದ ನಮೂನೆಯಲ್ಲಿ ಬರೆಯಲ್ಪಡದೆ ,

ಅಥವಾ (ii) ಕ್ರಮವಾಗಿ ಸ್ಟ್ಯಾಂಪು ಹಚ್ಚಿಸಲ್ಪಡದೆ,

ಅಥವಾ (iii) ವಿಧಾಯಕವಾದ ವಾಯಿದೆ ಯೊಳಗಾಗಿ ಹಾಜರ್ಮಾಡಲ್ಪಡದೆ,

ಅಥವಾ (iv) ಯಾವ ಹುಕುಮಿನ ನೇರೆ ಆಫೀಸು ಮಾಡಲ್ಪಟ್ಟಿರುವುದೋ ಅಥವಾ ಫಿರ್ಯಾದು ತರಲ್ಪಟ್ಟಿರುವುದೋ ಆ ಹುಕುಮಿನ ಒಂದು ನಕಲಿನ ಸಮೇತ ಕಳುಹಿಸಲ್ಪಡದೆ, ಇರುವ ಪ್ರಯುಕ್ತ, ಅದನ್ನು ಈ ಮೂಲಕ ವಾಪಸುಮಾಡಿದೆ.

7. ಅರ್ಜಿಯನ್ನು , ..... ..... .. ... .. . ....ರಲ್ಲಿ ಹಾಜರ್ಮಾಡುವ ಬಗ್ಗೆ ವಾಪಸುಮಾಡಿದೆ.

8. (a) ಅರ್ಜಿಯ ಬರೆವಣಿಗೆಯು ಓದುವುದಕ್ಕೆ ಬಾರದಹಾಗೆ ಇರುವುದರಿಂದ,

(b) ಅರ್ಜಿಯ ನಮೂದಿಸಿರುವ ವಿಷಯವು ಸ್ಪಷ್ಟವಾಗಿಲ್ಲದಿರುವುದರಿಂದ,

(c) ಅರ್ಜಿಯು ಅನುಚಿತವಾದ ಭಾಷೆಯಲ್ಲಿ ಬರೆಯಲ್ಪಟ್ಟು ಇರುವುದರಿಂದ ಅದನ್ನು ವಾಪಸು ಮಾಡಿದ.

* ಕಾರಣಗಳು ಯಾವುದಾದರೂ ಇದ್ದಲ್ಲಿ ಅವನ್ನು ಸಂಕ್ಷೇಪವಾಗಿ ನಮೂದಿಸತಕ್ಕದ್ದು,

WD 01729--G1B--8000--26-4-28

ನಂಬರು 277/Mun 2-34-10 ..... ..... ರ ಆಫೀಸು.

ಇನ್ನುಮೇಲೆ ನೀವು ಬರೆಯುವ ಕಾಗದ ಪತ್ರಗಳಲ್ಲಿ ಈ ನಂಬರನ್ನು ದಯಯಿಟ್ಟು ನಮೂದು ಮಾಡಿ.

ತಾರೀಖು 15.8.1931.

ಇಂಡೊಸ್ಮೆಂಟ್.

ಸಂದರ್ಭ :— ನಿಮ್ಮ .... 9.8.31 .... ನೆಯ ಮಜ್ಕೂರ್ ~~ಕಾಗದ~~ ~~ಅರ್ಜಿ~~

ವಿಷಯ :—

ಈ ಕೆಳಗೆ ಕಂಡ .. 2 ..... ನೆಯ ನಂಬರ್ ಕಾಮಿಗೆ ಗಮನಕೊಡಬೇಕಾಗಿ ಕೋರಿದೆ.

ರುಜು .....

ಹುದ್ದೆಯ ಹೆಸರು .....

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4. ನಿಮ್ಮ ~~ಪ್ರಾರ್ಥನೆಯನ್ನು ನೆರವೇರಿಸಿ ಕೊಡಲು~~ ನಾಧ್ಯವಿಲ್ಲ.....

2. ನಿಮ್ಮ ~~ಕಾಗದದಪತ್ರವನ್ನು~~ / ಅರ್ಜಿಯನ್ನು .....ಗೆ .....ಬಗ್ಗೆ ಕಳುಹಿಸಿದೆ.

3. ಈ ಆಫೀಸಿನ ..... ನೆಯ ಮಜ್ಕೂರ್ ..... ನೆಯ ನಂಬರಿಗೆ ಗಮನಕೊಡಬೇಕಾಗಿ ಕೊರಿದೆ.

4. ..... ನೆಯ ಮಜ್ಕೂರ್..... ನೆಯ ನಂಬರನ್ನು ಕಂಡು ಹಿಡಿಯಲು ನಾಧ್ಯವಿಲ್ಲ ; ಅದರ ಒಂದು ನಕಲನ್ನು ಕಳುಹಿಸಿ ಕೊಡಬೇಕು.

5. ಮಲಪೂಪಿಗಳು ತಲುಪಿರುವುದಿಲ್ಲ

6. ಅರ್ಜಿಯು—

(i) ವಿಧಾಯಕವಾದ ನಮೂನೆಯಲ್ಲಿ ಬರೆಯಲ್ಪಡದೆ,
ಅಥವಾ (ii) ಕ್ರಮವಾಗಿ ಸ್ಟ್ಯಾಂಪು ಹಚ್ಚಿಸಲ್ಪಡದೆ,
ಅಥವಾ (iii) ವಿಧಾಯಕವಾದ ವಾಯಿದೆ ಯೊಳಗಾಗಿ ಹಾಜರ್ಮಾಡಲ್ಪಡನೆ,
ಅಥವಾ (iv) ಯಾವ ಹುಕುಮಿನ ಮೇಲೆ ಆಪೀಲು ಮಾಡಲ್ಪಟ್ಟಿರುವುದೋ ಅಥವಾ ಫಿರ್ಯಾದು ತರಲ್ಪಟ್ಟಿರುವುದೋ ಆ ಹುಕುಮಿನ ಒಂದು ನಕಲಿನ ಸಮೇತ ಕಳುಹಿಸಲ್ಪಡದೆ, ಇರುವ ಪ್ರಯುಕ್ತ, ಅದನ್ನು ಈ ಮೂಲಕ ವಾಪಸುಮಾಡಿದೆ.

7. ಅರ್ಜಿಯನ್ನು ..... ರಲ್ಲಿ ಹಾಜರ್ಮಾಡುವ ಬಗ್ಗೆ ವಾಪಸುಮಾಡಿದೆ.

8. (a) ಅರ್ಜಿಯ ಬರೆವಣಿಗೆಯು ಓದುವುದಕ್ಕೆ ಬಾರದಹಾಗೆ ಇರುವುದರಿಂದ,
(b) ಅರ್ಜಿಯ ನಮೂದಿಸಿರುವ ವಿಷಯವು ಸ್ಪಷ್ಟವಾಗಿಲ್ಲದಿರುವುದರಿಂದ.
(c) ಅರ್ಜಿಯು ಅನುಚಿತವಾದ ಭಾಷೆಯಲ್ಲಿ ಬರೆಯಲ್ಪಟ್ಟು ಇರುವುದರಿಂದ ಅದನ್ನು ವಾಪಸು ಮಾಡಿದೆ.

* ಕಾರಣಗಳು ಯಾವುದಾದರೂ ಇದರಲ್ಲಿ ಅವನ್ನು ಸಂಕ್ಷೇಪವಾಗಿ ನಮೂದಿಸತಕ್ಕದ್ದು,

E R EE –

ONE RUPEE

Before the Govt. of H. H. The Maharaja of Mysore,

~~In the Court of the~~

**BANGALORE.**

Mysore A. No. _____ of 1934-35

| Plaintiff / Petitioner / Appellant s | | Defendant / Opponent / Respondent |
|---|---|---|
| 1. Kainkaryam Salva Varmiengar. | | Sri Parakalaswamy |
| 2. Sreerangam Sampath Kumaracharyu | Vs. | Mutt, Mysore |
| | | |

I/We the Appellants above-named, do hereby appoint and retain MESSRS. C. V. NARASIMHAIENGAR, B A, B. L, S. K. VENKATARANGAIENGAR, B A., LL. B, and B. T. RAMASWAMI, B.A B. T., LL B, Advocates, to appear for me/us in the above suit proceeding, petition or appeal, and to conduct, and prosecute or defend the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I/We empower my/our Advocates to appear in all miscellaneous proceedings in the suit or matter till all decrees or orders are fully satisfied or adjusted, to obtain the return of documents, draw any moneys that may be payable to me/us in the said suit or matter, withdraw, compromise or refer to arbitration the suit, and take all other steps that they may deem proper in the matter. And I/We undertake to ratify and confirm all legal acts done or caused to be done, and to pay all fees, costs, charges and expenses which may be incurred by my/our said Advocates in the case by virtue of these presents

In witness whereof I/we have hereunder set my/our hand this 10th day of Febry 1935.

*Accepted.*

K. Venkatarangaiengar

*Advocates*

*for*

Signed by the executant in my presence.

Vest & Co., The National Press, Bangalore

Encl 11 Files

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, ..... 193 18

29.

N. MADHAVA RAU, ESQ. B.A B.E.,
*Muzrai Commissioner in Mysore,*
*Bangalore.*

GENL. & REV. SECRETARIAT. 1190 1 - MAY 1935 ARCHIVES

To

*Secretary to the Government of His Highness*
*the Maharaja of Mysore,*

..... *Department.*

CIVIL SECTT. Mysore 9 APR. 1935

SIR,

St

[illegible]

Your most obedient

for Mutual Commis

E THE GOVERNMENT OF HIS HIGHNESS
MYSORE.

---

Muz. Appeal No.14 of 1934-35.

| Appellants. | Vs. | Respondent. |
|---|---|---|
| 1. Mr. Kainkaryam Salva Narnienger. | | Sri Parakala Swamy Matt, Mysore. |
| 2. Sreegungam Sampath-kumarachari. | | |

Subject.

Appeal against the order of the Mysore Muzrai Commissioner regarding payment of twice the devasthanam to the village officers in connection with Parakalaswami Matt in the temple of Sri Prasannavenkatramana Swamy.

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The case was called on Friday, the 17th January 1936. The appellants in their behalf and Mr. [illegible] were present in person. The Counsel for the respondent, Mr. K. Thimmaya Hegde, B.A., B.L., was also present.

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Order.

The main contention of the appellants is that the proper interpretation of the terms, under which the Matt of Sri Parakalaswami Matt is to be considered only to entitle the shrotriem of the proceeds distributed to Vaishnavites according to precedents offered to deity on ceremonial occasions. A study of the records shows that the Matt was intended to be given additional facilities with a view to enable the grantee to the maintenance of the Matt should not be given special concessions in this temple. The interpretation given in the document by the Deputy Commissioner in the Muzrai Manual does seem to be more in accord with its spirit. [illegible]

is that according to the proper

See with the views expressed by the Deputy Commissioner and the Wazrai Commissioner and dismiss the appeal.

Memo No. 1343/Muz 322-34-4

Dated, Bangalore, 26th March 1936.

Copy of the above is forwarded to Mr S. K. Venkatesa Iyengar Respondent's B.A. B.L. Advocate for the appellants

By order,

Sd. M. Venkatesa Iyengar

General Secretary to Government.

GS

Memo No 1344 dt 27-3-36

Copy to Mr K. T. Bhashyam Iyengar B.A. B.L. Advocate for the respondents

S.O

Sd. M. Venkatesa Iyengar

Gen. Sec.

Memo No 1345 dt 27-3-36

Copy Encl Records

Copy to the M. C. returning records received with his letter No 107 34-35 dt 29. 4. 1935

S-O

Bhashyam Iyengar

Gen Sec.

GS

is that according to the order

W D 1987—GPB—500—10-2 16

# Before the Government of His Highness the Maharaja of Mysore.

Mu 3 Appeal No. 14 of 1934-35—

Appellants

1. Vid. Kainkaryam Salva Narasimhan
2. ~~Vid.~~ Srirangam Sampath Kumaracha

Respondent.

Sri Parakala Swami Mutt.

Subject.

Appeal against the order of the Inam Commissioner regarding ~~the grant~~ ~~validity of inam~~ ~~of~~ the devarmsa ~~Kattle~~ ~~granted to the archaka being given~~ ~~inam~~ to the Gunnatha of Sri Parakala Swami Mutt in the temple of Sri Narayanaswami at Melkote.

17th January 1936 The Case was called on Friday the ~~22 Nov~~ 1935. The appellants with their Counsel Mr. S. K. Venkataranganna B.A., B.L., were present and were heard. The Counsel for the respondent Mr. K. T. Bhashyam Ayyangar B.A., B.L., was ~~absent~~ present and was heard.

ORDER

The main contention of the appellants is that according to the Sirfa

the

Dis tributed as Vinyoga and should not apply to prac
Offered to deity as Devamsa behind the Curtain.
The Stoyagam Samad ack which however shows
that what was intended to be given to Sri
Ranchala Murti was more or less on the
ground that the Swami of the Mutt should
be shown Special Concessions in this temple
the interpretation put on the document by the
D.C. and the M.C. seems to be more in accord
with its Spirit. You agree with the views
Co pressed by the D.C. and the M.C & Dismiss
the appeal.

Memo No 1343 Trm 322-34-4 Dt 27-8-36
Copy to mr
V. A. Venkatachariyar Jeyapur
adv - for the appellants.

B.O

Dt 28/3

for Genl Sec

Memo No 1344 Trm 322-34-4 Dt 27-8-36
Copy to Mr. K. T. Bhashyam Jeyapur,
B.A., B.L., Advocate for the respondent.

B.O

Dt 28/3

for Genl Sec

F. R. S. App. F. G 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Item No 1345 Pkg 312-24-9
927.3-28
Copy to M-C. returning records
received with his letter no
HE 107/84-85 of 29.4.8.
B-O
26/3
For Secretary
GA
26/3